1 2 3 4 5 6 7	CHRISTINE E. JACOB (State Bar No. 216679 BRET N. BATCHMAN (State Bar No. 23631 HANSEN, KOHLS, SOMMER & JACOB, LL 1520 EUREKA ROAD, SUITE 100 ROSEVILLE, CALIFORNIA 95661 TELEPHONE: (916) 781-2550 FACSIMILE: (916) 781-5339 cjacob@hansenkohls.com bbatchman@hansenkohls.com  Attorneys for Cross-Defendant MOSEN O'HAMOSEN OHADI, dba MALIBU PACIFIC and MALIBU PACIFIC REAL ESTATE CO and/OMALIBU COASTAL INSURANCE SERVICE	1) LP ADI aka l/or or	
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9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANC	CISCO DIVISIO	N
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13	HARTFORD CASUALTY INSURANCE COMPANY, an Indiana Corporation,	Case No. 3:1	15-cv-02592 SI
14	Plaintiff,		FENDANT MOSEN O'HADI'S N LIMINE NO. 5 FOR THE
15	V.	PARTIES T NOTICE O	TO PROVIDE ADVANCE F WITNESSES AND
16	FIREMAN'S FUND INSURANCE COMPANY, a California Corporation;	DOCUMEN	TS TO BE USED AT TRIAL
17 18	BURNS & WILCOX INSURANCE SERVICES, INC., a California Corporation, and DOES 1 to 50,		
19	Defendants.	Complaint Filed:	I 10, 2015
20	/	Trial:	June 10, 2015 November 14, 2016
21	BURNS & WILCOX INSURANCE SERVICES, INC., a California		
22	Corporation,		
23	Cross-Complainant,		
24	V.		
25	MOSEN O'HADI aka MOSEN OHADI, dba MALIBU PACIFIC and/or MALIBU		
26	PACIFIC REAL ESTATE CO and/or MALIBU COASTAL INSURANCE		
27	SERVICES, and ROES 1 – 100, inclusive,		
28	Cross-Defendants.		

1	I.		
2	INTRODUCTION		
3	Cross-Defendant MOSEN O'HADI ("O'Hadi") hereby moves this Court, in limine, for an		
4	Order requiring the parties to provide each other with advance notice of any witnesses expected		
5	to be called at trial and documents, not previously admitted, which a party intends to admit into		
6	evidence or elicit witness testimony. It is requested that notice of such documents and witnesses		
7	be provided no later than 5:00 p.m. the court day before their use at trial.		
8	II.		
9	AUTHORITY FOR MOTIONS IN LIMINE		
10	A motion in limine is "any motion, whether made before or during trial, to exclude		
11	anticipated prejudicial evidence before the evidence is actually offered." Luce v. United States,		
12	469 U.S. 38, 40 (1984). Although motions in limine are not expressly authorized by the Federal		
13	Rules of Civil Procedure or the Federal Rules of Evidence, it is recognized that such motions ar		
14	proper requests which the trial court has the inherent power to entertain and grant. See Ohler v.		
15	United States, 529 U.S. 753, 758 (2000); Padillas v. Stork-Gamco, Inc., 186 F.3d 412, 417 (3rd		
16	Cir. 1999); <i>United States v. Cook</i> , 608 F.2d 1175, 1186 (9th Cir. 1979) (explaining that the		
17	matter should be left to trial court's discretion "with a reminder that advance planning helps both		
18	parties and the court"); Luce v. United States, 469 U.S. 38, 41 (1984); United States v.		
19	Holmquist, 36 F.3d 154, 163 (1st Cir. 1994).		
20	III.		
21	ARGUMENT		
22	A. The Parties Should Provide Advance Notice Of Each Witness And Each Document, Not Previously Admitted, It Intends To Use At Trial		
23	O'Hadi hereby moves this Court, in limine, for an order instructing the parties to:		
<ul><li>24</li><li>25</li></ul>	1. Advise the court and each other no later than 5:00 p.m. the court day before of any witnesses a party intends to call at trial; and		
26 27	2. Advise the court and each other no later than 5:00 p.m. the court day before of their intent to admit specific documents, not previously admitted, which a party intends to admit into evidence or elicit witness testimony;		
28	and		

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1 2	3. Abstain from specifically referring to any documents until the other parties have had the opportunity to request a hearing on admissibility out of the jury's presence.		
3	This motion for advance notice of documents and witnesses prior to presentation at trial		
4	arises primarily because of the large number of documents available in this matter, some of which		
5	may be inadmissible. The above order would allow the parties to adequately prepare for trial in		
6	this matter. The order would ensure a faster, more expedient trial, avoid prejudice, and provide		
7	each party an opportunity to object after proper notice and would thereby prevent surprise at trial		
8	IV.		
9	CONCLUSION		
10	Based on the foregoing, O'Hadi respectfully requests that the aforementioned order		
11	be issued.		
12	DATED: October 25, 2016 Respectfully submitted		
13	HANSEN, KOHLS, SOMMER & JACOB, LLP		
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15	By: /s/ BRET N. BATCHMAN		
16	Attorneys for Cross-Defendant MOSEN O'HADI aka MOSEN OHADI, dba MALIBU PACIFI		
17	and/or MALIBU PACIFIC REAL ESTATE C and/or MALIBU COASTAL INSURANCE SERVICES		
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